

REMARKS

In the final Office Action, the Examiner objected to claim 34 for a minor informality; rejected claims 1, 8-12, 16, 20-24, 26-29, 31, and 33-35 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rao (U.S. Patent Application Publication No. 2003/0139174) in view of Chandrashekhhar et al. (U.S. Patent Application Publication No. 2003/0220872); and rejected claims 2 and 18 under 35 U.S.C. § 103(a) as allegedly unpatentable over Rao in view of Chandrashekhhar et al. and Hochmuth et al. (U.S. Patent Application Publication No. 2003/0055968).

By this Amendment, Applicants propose amending claims 34 and 35 to improve form. In particular, Applicants propose amending claim 34 to replace the word "system" with the word "method," and amending claim 35 to replace "first entity" with "requestor." Applicants submit that these proposed claim amendments do not raise any new issues and would not require an additional search by the Examiner. Accordingly, Applicants respectfully request that this Amendment be entered by the Examiner.

Applicants traverse the Examiner's rejections under 35 U.S.C. § 103 with regard to the claims as presented herein. Claims 1, 2, 8-12, 16, 18, 20-24, 26-29, 31, and 33-35 remain pending.

OBJECTION TO CLAIMS

In paragraph 1 of the final Office Action, the Examiner objected to claim 34 for a minor informality. In particular, the Examiner indicated that the word "system" in the preamble should read "method" (final Office Action, para. 1). Applicants propose amending claim 34, as

suggested by the Examiner. Applicants submit that such a change does not raise any new issues and should not require an additional search by the Examiner.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to claim 34.

REJECTION UNDER 35 U.S.C. § 103 BASED ON RAO AND CHANDRASHEKHAR ET AL.

In paragraph 3 of the final Office Action, the Examiner rejected claims 1, 8-12, 16, 20-24, 26-29, 31, and 33-35 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rao and Chandrashekhar et al. Applicants traverse the Examiner's rejection.

Independent claim 23 is directed to a system that comprises a service gateway in communication with a first entity and a second entity. The service gateway comprises a first interface module to receive, from the first entity, a message requesting performance of a service in an extensible set of services offered by the second entity, the message including a service name that corresponds to the service and an argument that includes data useful in performing the service; an access control module to make a first determination of whether the first entity is permitted to request performance of the service corresponding to the service name, make a second determination of whether the argument is permitted to be provided by the first entity, and make a third determination of whether the argument is permitted to be requested for the service corresponding to the service name; and a second interface module to selectively request performance of the service by the second entity based, at least in part, on results of the first, second, and third determinations of the access control module.

Rao and Chandrashekhar et al., whether taken alone or in any reasonable combination, do not disclose or suggest the combination of features recited in claim 23. For example, Rao and

Chandrashekhar et al. do not disclose or suggest a service gateway that includes, for example, an access control module to make a first determination of whether a first entity is permitted to request performance of the service corresponding to the service name, make a second determination of whether the argument is permitted to be provided by the first entity, and make a third determination of whether the argument is permitted to be requested for the service corresponding to the service name.

The Examiner alleged that Rao discloses an access control module 1600 that makes a first determination of whether a first entity 30 is permitted to request performance of a service (final Office Action, page 6). The Examiner admitted that Rao does not disclose that access control module 1600 makes a second determination of whether an argument is permitted to be provided by the first entity, and makes a third determination of whether the argument is permitted to be requested for the service corresponding to the service name (final Office Action, page 6). The Examiner alleged, however, that Chandrashekhar et al. discloses making the first determination, the second determination, and the third determination, and cited paragraphs 0031 and 0032 of Chandrashekhar et al. for support (final Office Action, page 7). Applicants submit that the disclosure of Chandrashekhar et al. does not support the Examiner's allegations.

In paragraph 0031, Chandrashekhar et al. discloses:

The EU selects services/applications from the list of available services/applications and submits a request for selected service(s)/applications(s). The information indicative of the requested services/applications and associated attributes (customization features) are referred to as an application request (AR). The AR is received by the system 100 at step 62. In an exemplary embodiment, the AR is provided via a Web-based interface in hypertext markup language (HTML) form. During creation of the AR, the EU may select available services/applications, and also customize services/applications as desired. Examples of customization information include the time to provide a service/application, the data rate at which to provide a service/application, specific phone numbers from which to accept collect calls, the total maximum cost limit for all requested services/application provided during a certain time frame, e.g., month, the resolution at

which to provide a movie, specific phone numbers to which calls should be forwarded, geographic limitations on acceptance of collect calls. For example, an EU may want to view an online-hosted movie. She may specify that the movie be provided at a specific time during off-peak hours and at a lower resolution to minimize expense. Similarly, the EU may specify the amount that she wants to pay.

In this section, Chandrashekhar et al. discloses that an end user (EU) submits a request for selected services/applications via an application request (AR) that identifies the services/applications and associated attributes (customization features) desired by the EU. Even assuming, for the sake of argument, that the services/applications can be equated to a service with a corresponding service name and the attributes can be equated to an argument that includes data useful in performing the service (points that Applicants do not concede), Applicants submit that Chandrashekhar et al. does not disclose or suggest, for example, making a determination of whether an attribute is permitted to be provided by the EU, or making a determination of whether an attribute is permitted to be requested for a requested service/application, as would be required by claim 23 based on this interpretation of Chandrashekhar et al.

Instead, Chandrashekhar et al. discloses making a comparison of the requested services/applications, as tailored by the customization information, with available services/applications and information contained in EU and service/application profiles (para. 0034). Chandrashekhar et al. does not disclose or suggest that this comparison entails making a determination of whether an attribute is permitted to be provided by the EU, or making a determination of whether an attribute is permitted to be requested for a requested service/application, as would be required by claim 23 based on this interpretation of Chandrashekhar et al. Any allegations to the contrary are based on mere speculation. Thus, Chandrashekhar et al. does not disclose or suggest an access control module to make a first determination of whether a first entity is permitted to request performance of the service

corresponding to the service name, make a second determination of whether the argument is permitted to be provided by the first entity, and make a third determination of whether the argument is permitted to be requested for the service corresponding to the service name, as recited in claim 23.

At paragraph 0032, Chandrashekhar et al. discloses:

An authorized EU may customize an AR in accordance with predefined parameters, e.g., privileges and constraints, assigned to that EU. The predefined parameters are determined, in part, by a selected ASP(s) in accordance with information concerning the requested service/application and system configuration available from the user profiles and service/application profiles contained in the CRM portion 14 and the SCM portion 16, respectively. However, the system 100 provides an authorized EU means for modifying these parameters for specific services/applications. These predefined parameters may be in the form of constraints and/or privileges. For example, constraints associated with a call forwarding feature may include: User A can initiate call forwarding to anywhere in USA, but not to international locations; and User B can forward the calls anywhere, in association with a unified messaging service. Other examples of constraints and privileges include providing an EU with means to automatically accept collect calls from a designated source between 8:00 p.m. and 12:00 p.m. (EU's local time); provide an authentication scheme for third-party charging; modify attributes associated with IP-based applications based on quality of service (QoS), time of day, user and service/application specific attributes; and/or authentication by different methods such as password or speaker verification.

In this section, Chandrashekhar et al. discloses that an authorized EU can customize an AR with predefined parameters and can modify these parameters for specific services/applications. Even assuming, for the sake of argument, that the services/applications can be equated to a service with a corresponding service name and a parameter can be equated to an argument that includes data useful in performing the service (points that Applicants do not concede), Applicants submit that Chandrashekhar et al. does not disclose or suggest, for example, making a determination of whether an attribute is permitted to be provided by the EU, or making a determination of whether an attribute is permitted to be requested for a requested service/application, as would be required by claim 23 based on this interpretation of Chandrashekhar et al.

Instead, Chandrashekhhar et al. discloses making a comparison of the requested services/applications, as tailored by the customization information, with available services/applications and information contained in EU and service/application profiles (para. 0034). Chandrashekhhar et al. does not disclose or suggest that this comparison entails making a determination of whether an attribute is permitted to be provided by the EU, or making a determination of whether an attribute is permitted to be requested for a requested service/application, as would be required by claim 23 based on this interpretation of Chandrashekhhar et al. Any allegation to the contrary is based on mere speculation. Thus, Chandrashekhhar et al. does not disclose or suggest an access control module to make a first determination of whether a first entity is permitted to request performance of the service corresponding to the service name, make a second determination of whether the argument is permitted to be provided by the first entity, and make a third determination of whether the argument is permitted to be requested for the service corresponding to the service name, as recited in claim 23.

The Examiner also alleged that it would have been obvious to modify the common service platform and software of Rao to provide access based on a message received that includes services/applications and associated attributes, as disclosed by Chandrashekhhar et al., "since a unique identifier and associated information is needed for end-user identification and authentication" (final Office Action, page 7). Applicants submit that the Examiner's motivation statement falls short of establishing a prima facie case of obviousness. The Examiner's motivation statement does not explain how making a determination of whether an argument is permitted to be provided by a first entity or making a determination of whether an argument is

permitted to be requested for a service corresponding to a service name can reasonably be "needed," or, in fact, has anything to do with, end-user identification and authentication. Thus, the Examiner has not established a prima facie case of obviousness with regard to claim 23.

For at least these reasons, Applicants submit that claim 23 is patentable over Rao and Chandrashekhhar et al., whether taken alone or in any reasonable combination. Claims 1, 8-12, 24, and 33 depend from claim 23 and are, therefore, patentable over Rao and Chandrashekhhar et al. for at least the reasons given with regard to claim 23.

Independent claim 26 recites features similar to, yet possibly different in scope from, features recited in claim 23. Thus, claim 26 is patentable over Rao and Chandrashekhhar et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given with regard to claim 23. Claim 27-29 depend from claim 26 and are, therefore, patentable over Rao and Chandrashekhhar et al. for at least the reasons given with regard to claim 26.

Independent claim 31 recites features similar to, yet possibly different in scope from, features recited in claim 23. Thus, claim 31 is patentable over Rao and Chandrashekhhar et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given with regard to claim 23. Claim 16, 20-22, and 34 depend from claim 31 and are, therefore, patentable over Rao and Chandrashekhhar et al. for at least the reasons given with regard to claim 31.

Independent claim 35 recites features similar to, yet possibly different in scope from, features recited in claim 23. Thus, claim 35 is patentable over Rao and Chandrashekhhar et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given with regard to claim 23.

Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 1, 8-12, 16, 20-24, 26-29, 31, and 33-35 under 35 U.S.C. § 103(a) based on Rao and Chandrashekhar et al.

*REJECTION UNDER 35 U.S.C. § 103 BASED ON RAO,
CHANDRASHEKHAR ET AL., AND HOCHMUTH ET AL.*

In paragraph 4 of the final Office Action, the Examiner rejected claims 2 and 18 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rao in view of Chandrashekhar et al. and Hochmuth et al. Applicants traverse the Examiner's rejection.

Claim 2 depends from claim 23, and claim 18 depends from claim 31. Without acquiescing in the Examiner's allegations with regard to claims 2 and 18, Applicants submit that the disclosure of Hochmuth et al. does not cure the deficiencies in the disclosures of Rao and Chandrashekhar et al. identified with regard to claims 23 and 31. Therefore, claims 2 and 18 are patentable over Rao, Chandrashekhar et al., and Hochmuth et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claims 23 and 31.

Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 2 and 18 under 35 U.S.C. § 103(a) based on Rao, Chandrashekhar et al., and Hochmuth et al.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of the application and the timely allowance of claims 1, 2, 8-12, 16, 18, 20-24, 26-29, 31, and 33-35.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1, 2, 8-12, 16, 18, 20-24, 26-29, 31, and 33-35 in condition for

allowance. Applicants submit that this Amendment should allow for immediate action by the Examiner because it raises no new issues and would not require an additional search. Further, Applicants submit that the entry of this Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

As Applicants' remarks with respect to the Examiner's rejections overcome the rejections, Applicants' silence as to certain assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to dispute these assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,
HARRITY SNYDER, L.L.P.

/Paul A. Harrity, Reg No 39,574/
Paul A. Harrity
Reg. No. 39,574

Date: March 14, 2008
11350 Random Hills Road
Suite 600
Fairfax, Virginia 22030
(571) 432-0800
Customer No. 44987